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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,539	10/28/2003	Easwaran Nambudiri	F-678	6441

7590 01/24/2008
Pitney Bowes Inc.
Intellectual Property and
Technology Law Department
35 Waterview Drive, P.O. Box 3000
Shelton, CT 06484

EXAMINER

BHARADWAJ, KALPANA

ART UNIT	PAPER NUMBER
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2129

MAIL DATE	DELIVERY MODE
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01/24/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/695,539

Applicant(s)

NAMBUDIRI, EASWARAN

Examiner

Bharadwaj Kalpana

Art Unit

2129

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/24/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. Claims 1-25 are pending.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 4-8, 10-11, 13 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Auslander (USPN 2003/0005303, referred to as **Auslander**).

Claim 1:

Auslander discloses an apparatus comprising:

a print element for printing an indicium (**Auslander**, ¶ 0060: printing a postage indicium) on a substrate (**Auslander**, ¶ 0012: printed on various substrates), at least a portion of the indicium being printed with a first resolution (**Auslander**, ¶ 0010: printed at high resolution); and

control means coupled to the print element (**Auslander**, ¶ 0059: controlling mechanism) for causing the print element to print at least one symbol as part of the indicium (**Auslander**, ¶ 0032: one or more alphanumerical symbols), the at least one

symbol including resolution data that is indicative of the first resolution (**Auslander**, ¶ 0010: printed at high resolution).

Claim 4, 10:

Auslander teaches the apparatus according to claim 1, wherein the control means causes the print element to print the resolution data in encrypted form (**Auslander**, ¶ 0060: an encryption information).

Claim 5, 11:

Auslander teaches the apparatus according to claim 1, wherein the at least one symbol is part of a barcode (**Auslander**, ¶ 0053: a barcode 38).

Claim 6:

Auslander teaches the apparatus according to claim 1, wherein the control means (**Auslander**, ¶ 0059: controlling mechanism) is operative to select the first resolution (**Auslander**, ¶ 0010: printed at high resolution; **EN**: 'high resolution' includes first resolution).

Claim 7:

Auslander teaches the apparatus according to claim 6, wherein the control means (**Auslander**, ¶ 0059: controlling mechanism) is operative to select the first

resolution based at least in part on a random process (**Auslander**, ¶ 0010: printed at high resolution; **EN**: 'high resolution' includes second resolution).

Claim 8:

Auslander teaches a method for printing an indicium comprising:
selecting a print resolution (**Auslander**, ¶ 0010: printed at high resolution);
and printing an indicium on a substrate (**Auslander**, ¶ 0012: printed on various substrates), at least a portion of the indicium being printed with the selected print resolution, the indicium including at least one symbol (**Auslander**, ¶ 0032: one or more alphanumerical symbols), the at least one symbol including resolution data that is indicative of the selected print resolution (**Auslander**, ¶ 0010: printed at high resolution).

Claim 13:

Auslander teaches the method according to claim 8, wherein the substrate is an envelope (**Auslander**, ¶ 0008: indicium on an envelope).

Claim 17:

Auslander teaches the method according to claim 13, wherein the indicium is a postage indicium (**Auslander**, ¶ 0060: printing a postage indicium).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 3, 9, 12, 14-16 and 18-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Auslander as applied to claims 1 and 8 above, and further in view of Dolan (USPN 5,611,630 referred to as **Dolan**).

Claim 2, 9:

Auslander does not explicitly teach the apparatus according to claim 1, wherein the first resolution includes a horizontal resolution factor and a vertical resolution factor.

However, Dolan teaches the first resolution including a horizontal resolution factor and a vertical resolution factor (**Dolan**, C09L44-58: printed at 80 (vertical) by 480 (horizontal) dpi; **EN**: dpi is the resolution).

Auslander and Dolan are from the same field of endeavor, postal indicia printing. It would have been obvious to one of ordinary skill in the art to have modified Auslander's invention with Dolan's horizontal and vertical resolution factors for the benefit of being able to add 'touch-up' pixels to the image.

Claim 3:

Auslander modified by Dolan teaches the vertical resolution factor is different than the horizontal resolution factor (**Dolan**, C09L44-58: printed at 80 (vertical) by 480 (horizontal) dpi; **EN**: dpi is the resolution; **EN**: the horizontal and vertical dpi are different). It would have been obvious to one of ordinary skill in the art to have modified Auslander's invention with Dolan's horizontal and vertical resolution factors being different, for the benefit of being able to touch-up the image in either direction.

Claim 12:

Auslander does not teach the method according to claim 8, further comprising:
performing a random process; wherein selecting a print resolution is performed based at least in part on a result of the random process.

However, Dolan teaches performing a random process (**Dolan**, C08L31-50: density of dots ... vary; **EN**: The varying dots is a random process); wherein selecting a print resolution is performed based at least in part on a result of the random process (**Dolan**, C08L31-50: overall dot density). Auslander and Dolan are from the same field of endeavor, postal indicia printing. It would have been obvious to one of ordinary skill in the art to have modified Auslander's invention with Dolan's varying density of dots, for the benefit of a resolution that would be detectable by a facer/canceler machine (Dolan, C08L31-50).

Claim 14:

Auslander teaches a method for verifying an indicium comprising:

extracting at least one symbol included in the indicium, the at least one symbol specifying a second print resolution that indicates a resolution that should have been used to print the at least a portion of the indicium (**Auslander**, ¶ 0032: one or more alphanumerical symbols);

Auslander does not teach:

examining the indicium to determine a first print resolution characteristic of at least a portion of the indicium;
and

comparing the first print resolution characteristic with the second print resolution characteristic to determine whether the first print resolution characteristic matches the second print resolution characteristic.

However, Dolan teaches:

examining the indicium to determine a first print resolution characteristic of at least a portion of the indicium (**Dolan**, C08L31-50: first pass of printing mechanism);
and

comparing the first print resolution characteristic with the second print resolution characteristic to determine whether the first print resolution characteristic matches the second print resolution characteristic (**Dolan**, C08L31-68: first pass of the printing mechanism; second pass of printing mechanism).

Auslander and Dolan are from the same field of endeavor, postal indicia printing. It would have been obvious to one of ordinary skill in the art to have modified

Auslander's invention with Dolan's first and second pass printing mechanisms, for the benefit of finding additional dots (pixels) within the graphical image.

Claim 15:

Auslander modified by Dolan teaches the method according to claim 14, wherein extracting at least one symbol includes reading a barcode that is part of the indicia (**Auslander**, ¶ 0053: a barcode 38).

Claim 16:

Auslander modified by Dolan the method according to claim 15, wherein the barcode is a two-dimensional barcode (**Auslander**, ¶ 0053: a barcode 38; **EN**: A barcode on a postage is two-dimensional).

Claim 18:

Auslander modified by Dolan teaches the method according to claim 14, further comprising: decrypting the at least one symbol (**Auslander**, ¶ 0057: verifying a cryptographic digital signature; **EN**: 'verifying' involves decrypting).

Claim 19:

Auslander does not teach a method of printing a postage indicium using a postage meter, the method comprising:

selecting a print resolution based on predetermined data; and

printing at least a portion of the postage indicium with the selected print resolution.

However Dolan teaches:

selecting a print resolution based on predetermined data (**Dolan**, C01L44-67: measured radiated light exceeds a predetermined level); and

printing at least a portion of the postage indicium with the selected print resolution (**Dolan**, C01L44-67: mailpiece is identified ... processed to an appropriate station; **EN**: 'appropriate' station would find the appropriate resolution).

Auslander and Dolan are from the same field of endeavor, postal indicia printing. It would have been obvious to one of ordinary skill in the art to have modified Auslander's invention with Dolan's printing based on predetermined levels of measurement of light, for the benefit of allowing the fluorescence of the indicia ink to be readily detected.

Claim 20:

Auslander modified by Dolan teaches the method according to claim 19, wherein the predetermined data includes at least one of a calendar date, a current day of the week, a state or province in which the postage meter is located, a postal zone in which the postage meter is located, a current value of a register of the postage meter, and a random process (**Auslander**, ¶ 0060: includes a postage meter 100).

Claim 21, 24:

Auslander modified by Dolan teaches the method according to claim 19, wherein the postage indicium includes resolution data that is indicative of the selected print resolution (**See claim 19**, which includes similar limitations and hence the same rejection applies).

Claim 22:

Auslander modified by Dolan teaches the method according to claim 21, wherein the resolution data is represented by a barcode that is part of the postage indicia (**Auslander**, ¶ 0053: a barcode 38).

Claim 23:

Auslander teaches a postage meter comprising: means for selecting a print resolution based on at least one of:

(a) a calendar date, (b) a current day of the week, (c) a state or province in which the postage meter is located, (d) a postal zone in which the postage meter is located, (e) a current value of a register of the postage meter, and (f) a random process (**Auslander**, ¶ 0060: includes a postage meter 100);

Auslander does not explicitly discuss:

print means, responsive to the means for selecting, for printing at least a portion of a postage indicium with the selected print resolution (**See claim 19**, same rejection applies).

Claim 25:

Auslander modified by Dolan teaches the postage meter according to claim 24, wherein the resolution data is represented by a barcode that is part of the postage indicium (**Auslander**, ¶ 0053: a barcode 38).

Examinations Considerations

5. Examiner's Notes (**EN**) are provided with the cited references to prior art to assist the applicant to better understand the nature of the prior art, application of such prior art and, as appropriate, to further indicate other prior art that maybe applied in other office actions. Such comments are entirely consistent with the intent and spirit of compact prosecution. However, and unless otherwise stated, the Examiner's Notes are not prior art but a link to prior art that one of ordinary skill in the art would find inherently appropriate.

6. Examiner has cited particular columns and line numbers (or paragraphs) in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the Applicant in preparing responses, to fully consider the references in their entirety as potentially teaching all or part of the claimed

invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner. The entire reference is considered to provide disclosure relating to the claimed invention.

Conclusion

7. Claims 1-25 are rejected.
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - a. Alasia, USPN 6859534, cited for anti-counterfeiting software.

Correspondence Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bharadwaj Kalpana whose telephone number is (571) 270-1641. The examiner can normally be reached on Monday-Friday 7:30am 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Vincent can be reached on (571) 272-3080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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KB

Jan 18, 2008


DAVID VINCENT
SUPERVISORY PATENT EXAMINER